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Technology Center 2100

Paper No. 5

Townsend and Townsend and Crew, LLP  
Two Embarcadero Center  
Eighth Floor  
San Francisco, CA 94111-3834

In re Application of: )  
Viral Kadakia, et al. )  
Application No. 10/039,766 )  
Filed: December 31, 2001 ) **DECISION ON REQUEST FOR**  
For: METHOD FOR THE SECURE AND ) **WITHDRAWAL AS ATTORNEY**  
TIMELY DELIVERY OF LARGE )  
MESSAGES OVER A DISTRIBUTED )  
COMMUNICATION NETWORK )

This is a decision on the Request To Withdraw from Representation filed November 18, 2002.

A grantable request to withdraw as attorney of record should indicate thereon the present mailing addresses of the attorney(s) who is/are withdrawing from the record and of the applicant. **The request for withdrawal must be signed by every attorney seeking to withdraw or contain a clear indication that one attorney is signing on behalf of another/others.** A request to withdraw will not be approved unless at least 30 (thirty) days would remain between the date of approval and the later of the expiration date of a time to file a response or the expiration date of the maximum time period which can be extended under 37 C.F.R. § 1.136(a). The effective date of withdrawal being the date of decision and not the date of request. See M.P.E.P. § 402.06. **37 C.F.R. § 1.36 further requires that the applicant or patent owner be notified of the withdrawal of the attorney or agent.**

The request is signed by Charles J. Kulas alone and does not contain a clear indication that Mr. Kulas is authorized to sign on behalf of the other attorneys of record and is signing on behalf of the other attorneys of record. Furthermore, there is no indication that Applicant has been notified of the request for withdrawal. Accordingly, the request is **DENIED**.

All future communications from the United States Patent and Trademark Office (Office) will continue to be directed to the above-listed address until otherwise notified by applicant. Applicant is reminded of the obligation to promptly notify the Office of any change in correspondence address to ensure receipt of all communications from the Office.

  
~~Copy~~ Vincent N. Trans  
Special Programs Examiner  
Technology Center 2100  
Computer Architecture and Software  
(703) 305-9750